GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Dept. of Handlooms and Textiles - Sri C.S. Sai Baba, part time Lecturer-cum-Demonstrator, Indian Institute of Handloom Technology , Venkatagiri, Nellore District – Minimum pay scale and allowances - Permission-Accorded.

INDUSTRIES AND COMMERCE (ESTT) DEPARTMENT

G.O.MS.No. 95 Dated: 01-07-2016
Read the following:-

1. Orders of Hon'ble APHC in W.P.No. 14340/2003 filed by Sri C.S.Saibaba, Part time lecturer-cum-demonistrator,dt: 3-10-2013.
2. Orders of Hon'ble APAT in O.A.No. 4416/2014, dt: 01-09-2014.
3. Orders of Hon'ble Supreme Court of India in SLP(Civil) No. 17619/2014 dt: 9-7-2015.
4. From the D&HT and AEPs, Lr.No.5298/Estt/A1/2015,Dt.16-07-2015 and 28-4-2016.
5. Orders of Hon'ble Supreme Court of India in R.P.(Civil) No. 1924/2015 in SLP(C) No. 17619/2014 dt: 12-04-2016.
6. From the G.P for Industries, A.P.A.T, Hyderabad, Lr.No.CA.No.454/ 2015/PMR, dt:22.04.2016.

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ORDER:-

Vide reference 1st read above, the Hon'ble High Court have passed the following judgement in W.P.No. 14340/2003 dt: 3-10-2013 filed by Sri C.S.Saibaba, , part time Lecturer-cum-Demonstrator, Indian Institute of Handloom Technology , Venkatagiri, Nellore District which is as follows:-

> "Hence, the W.P. is disposed of directing that the respondents shall ensure that the petitioner is entrusted with the workload on par with the regular incumbent and they shall pay the minimum of the pay scale and the allowance thereon till the vacancy is filled up through regular selection process".

2. After reviewing the situation, the Government of Andhra Pradesh have SLP filed in Supreme Court of India on the judgement of Hon'ble High Court of Andhra Pradesh, Dated: 3-10-2013 in W.P. No. 14340/2003.

3. Vide reference 2nd read above, the Hon'ble APAT and vide its order Dated: 1-9-2014, has directed to continue the petitioner on terms and conditions as indicated in last para of the order dated: 03-10-2013 of the Hon'ble High Court and accordingly the JD(H&T)/Principal, IIHT, venkatagairi has issued instructions to Sri C.S.Saibaba to take classes and taking Chemistry classes from 20-10-2014 onwards i.e. 3 hours per week.

4 . Again Sri C.S.Sai Baba has filed C.A.No. 454 of 2015 in O.A.No. 4416/2014 for not complying the orders of the Hon'ble APAT dt: 1-9-2014 passed in O.A.No. 4416/2014.

5. Vide reference 3rd read above, the Hon'ble Supreme Court of India has dismissed the SLP (Civil) No. 17619/2014 on 9-7-2015 and made the following order:

> "Regard being had to the facts and circumstances of the case, not inclined to interfere with the impugned judgement".

5. Vide reference 4th read above, the Commissioner of Handlooms & Textiles has stated that Sri C.S.Sai Baba is taking Chemistry classes from 20-10-2014 onwards i.e. (3) hours per week and also informed that the corresponding post

(P.T.O)

of Demonistrator (Chemistry) which was in existence earlier in IIHT, Venkatagiri was abolished and now the post of Demonistrator(Weaving) is vacant and it carries the pay scale of Rs. 11530-33200 (PRC 2010) and requested the Govt. to issue necessary orders to implement the orders of the Hon'ble High Court i.e., to pay the minimum of the pay scale and allowances to Sri C.S.Saibaba for the post of Demonistrator which carries the pay scale of Rs. 11530-33200(ROS 2010) and to draw his emoluments under "2851-103-11-37-300"Head and requested to issue early orders in the matter in view of the Contempt case filed by the individual before the Hon'ble A.P.A.T.

6. After examining the matter thoroughly, Government have requested the Commissioner to file review petition highlighting the difficulties by the Government before the Hon'ble Supreme Court and the Review Petition was dismissed by the Hon'ble Supreme Court on 12-04-2016 vide reference 5th read above.

7. Government, after careful examination of the matter, hereby permit the Commissioner, Handlooms & Technology to pay the minimum of the pay scale and allowances to Sri C.S.Saibaba for the post of Demonistrator and to draw his emoluments under Head "2851-103-11-37-300" as a special case and not be treated as a precedent for all times to come.

8. This order issues with the concurrence of Finance Department vide their U.O.No. 32026/28/A2/HR.III/16, dated: 6-6-2016.

I.SRINIVAS SRINARESH
SECRETARY TO GOVERNMENT (H&T)

To
The Commissioner, Handlooms & Textiles, A.P., Hyderabad.
The Joint Director(H&T)/Principal, Sri Pragada Kotaiah Memorial Indian Institute of Handloom Technology , Venkatagiri, Nellore District.
The Govt. Pleader for Ind.&Com.,APAT, Puranihaveli, Hyderabad.
Copy to:
The Finance (HR.III) Department.
S.F./S.C.

//FORWARDED :: BY ORDER//

SECTION OFFICER